GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

STARRED QUESTION NO:330
ANSWERED ON:17.08.2005
ILL-EFFECTS OF CONSUMPTION OF GUTKA
Chinta Mohan Dr. ;Suman Shri Ramji Lal

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether the Union Government has sought the report from the Indian Council of Medical Research regarding harmful effects of consumption of Gutka;

(b) if so, the time by which the said report is likely to be received;

(c) whether some State Governments have banned the sale of Gutka in view of its harmful effects;

(d) if so, whether the Union Government has also sought the reports prepared by certain State Governments;

(e) if so, the details thereof; and

(f) the action proposed to be taken by the Union Government in this regard?

Answer

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. ANBUMANI RAMADOSS)

(a)to(f): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO. 330 FOR 17TH AUGUST, 2005

An expert committee constituted by Directorate General of Health Services to examine use of tobacco in pan masala and Gutka and its effects on public health concluded that consumption of Gutka and chewing tobacco are hazardous to health.

The Government has not sought reports from ICMR regarding harmful effects on consumption of Gutka.

The States of Andhra Pradesh, Maharashtra, Tamil Nadu and Goa had prohibited manufacture and sale of Gutka under section 7 (iv) of the PFA Act, 1954, which empowers Food (Health) Authority of States/UTs. to prohibit any article of food for the time being, in the interest of public health.

Subsequently, the Supreme Court judgement in case of Godawat pan masala products limited and others Vs. Union of India and others - SLP No. 24449 of 2002, decided on 02.8.2004, concluded inter-alia that section 7 (iv) of the Act is not an independent source of power for the State Authority and impugned notifications are unconstitutional and void. Therefore, the notifications issued by the State Government banning sale of Gutka were revoked.

The Government has enacted the Cigarettes and Other Tobacco Products (Prohibition or Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) Act, 2003, with the objective to discourage use of tobacco and tobacco products and to prohibit the advertisements of Cigarette and other tobacco products including Gutka.